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March 6, 2006

Our File No. 21957-00100-63

VIA HAND DELIVERY

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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MAR - 6 2006

Federal Communications Commission
Office of Secretary

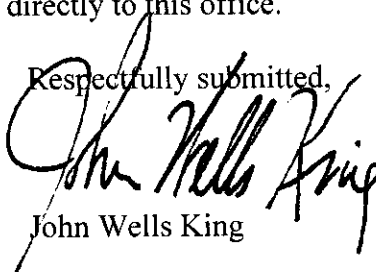
Re: MB Docket No: 05-248
RM-11262
RM-11315
Amendment of FM Table of Allotments
Midway, Falmouth, Owingsville,
Danville, Wilmore, and Perryville, Kentucky

Dear Ms. Dortch:

On behalf of Hammond Broadcasting, Inc., I transmit herewith the original and four copies of "Comments of Hammond Broadcasting, Inc., on Counterproposal Filed by Educational Media Foundation," in response to the Commission's Public Notice of February 17, 2006, Report No. 2762.

Kindly communicate any questions directly to this office.

Respectfully submitted,


John Wells King

Enclosures

cc: Sally A. Buckman, Esq.
John F. Garziglia, Esq.
Dennis J. Kelly, Esq.
David D. Oxenford, Esq.

JWK:yg

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Before the
Federal Communications Commission
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the matter of)
)
) MB Docket No: 05-248
Amendment of Section 73.202(b),) RM-11262
Table of Allotments,) RM-11315
FM Broadcast Stations.)
(Midway, Falmouth, Owingsville, Danville,)
Wilmore, and Perryville, Kentucky))

TO: The Chief, Audio Division, Media Bureau

**COMMENTS OF HAMMOND BROADCASTING, INC.
ON COUNTERPROPOSAL FILED BY
EDUCATIONAL MEDIA FOUNDATION**

Hammond Broadcasting, Inc. ("Hammond"), by its attorneys and pursuant to Sections 1.87, 73.415 and 73.420 of the Commission's rules, herewith submits its comments in support of the proposal filed by Educational Media Foundation ("EMF"), which the Commission has accepted for filing as a counterproposal in the above-captioned proceeding.¹ For its comments, Hammond states as follows:

The proposal advanced by L.M. Communications of Kentucky, LLC ("LMC"), which initiated this proceeding, would achieve a single objective: the upgrade of the facilities of WBTF(FM) at Midway, from a Class A facility on Channel 300 to a Class C3 facility on Channel 298. In reality, the proposal would enable WBTF to become a stronger service in the Lexington, Kentucky, market. It would come at substantial risk of harm to Hammond's

¹ Public Notice, "Consumer & Governmental Affairs Bureau, Reference Information Center, Petition for Rulemakings Filed, Report No. 2762, February 17, 2006. The communities of Danville, Wilmore, and Perryville, have been added to the caption.

WIOK(FM), Falmouth, Kentucky, which would be required to change from Channel 298A to Channel 300A.

The EMF proposal would achieve the twin objectives of improving the existing service of its WHIR-FM, by relocating Channel 296A from Danville to Wilmore, Kentucky, and providing a first service to Perryville, Kentucky, on Channel 298A. It would not require a modification of the license of Hammond's WIOK.

The superiority of the EMF proposal under the Commission's allotment criteria is evident from the EMF comments and counterproposal, and will not be repeated here. But over and above these decisional considerations are additional public interest factors that compel an outcome in favor of the EMF proposal over the LMC proposal.

First, the EMF counterproposal would not raise the prospect of interference to FAA localizer frequencies as would the LMC proposal. Hammond established that operation of WIOK on Channel 300A, to accommodate the LMC proposal, would greatly exacerbate interference on an FAA localizer into Cincinnati/Northern Kentucky International Airport. See Comments of Hammond Broadcasting, Inc., September 19, 2005 ("Hammond Comments"), at 2-4. This translates into a site availability issue in evaluating the likelihood of successful implementation of the LMC proposal, which the Commission must address at the allotment stage. To consider the issue at the application stage will be too late—the toothpaste will be out of the tube. EMF's proposal avoids the issue altogether.

Second, although Hammond has not studied the impact of the EMF proposal on the existing area low power FMs, clearly it would avoid the preclusive impact of a WIOK Channel 300 operation. See Hammond Comments at 4-6. Notwithstanding that low power

FM is a secondary service, the Commission must acknowledge the public interest benefit in enabling these worthwhile transmission services to continue to operate.

Third, leaving WIOK alone, as the EMF counterproposal does, enables Falmouth's only radio station to continue to be known, as it has for many years, as "107.5 Gospel." Rejection of the LMC proposal will avoid the unhappy prospect that Hammond's substantial investment in the station's identity would be required to be made over.

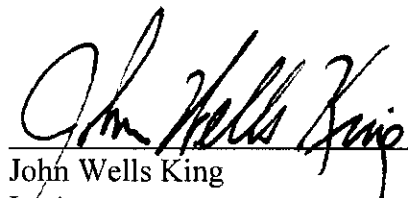
Fourth, the absence of a threatened channel change will remove the risk of financial harm to WIOK's service to the Hispanic community via commonly-owned WYGH, Paris, Kentucky.

For all of these reasons, Hammond supports the EMF counterproposal, and urges the Commission to adopt its proposed changes in the FM Table of Allotments, and to decline to adopt the changes proposed by LMC.

Respectfully submitted,

HAMMOND BROADCASTING, INC.

By:



John Wells King
Its Attorney

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March 6, 2006

CERTIFICATE OF SERVICE

The undersigned, an employee of Garvey Schubert Barer, hereby certifies that the foregoing document was mailed this date by First Class U.S. Mail, postage prepaid, to the following:

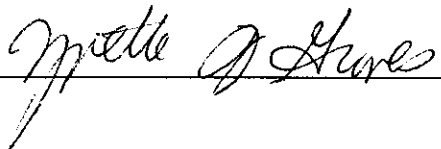
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Date: March 6, 2006